



State of California—Health and Human Services Agency
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH
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INTERNET ADDRESS: www.cdph.ca.gov



EDMUND G. BROWN JR.
Governor

June 2, 2014

Mr. Tim Buchen
Wente Scout Reservation
1001 Davis Street
San Leandro, CA 94577

**CITATION NO. 02-03-14C-011 FOR PWS NO. 2300842
BACTERIOLOGICAL MAXIMUM CONTAMINANT LEVEL VIOLATION
And TRIGGERED SOURCE MONITORING VIOLATION**

Enclosed is a citation issued to the Wente Scout Reservation public water system.

Because this is an enforcement action for noncompliance with State regulations, your water system will be billed at the Department's hourly rate (currently estimated at \$126.00) for the time spent on issuing this citation. You will receive a bill sent from our Fee Billing Unit in Sacramento later this year. This bill will contain fees for any enforcement time spent on your water system.

If you have any questions regarding this matter, please contact Lori Hanson at (707) 576-2604.

Sincerely,

Michelle F. Frederick, P.E.
Mendocino District Engineer
Drinking Water Field Operations Branch

Enclosures

c: Mendocino County Environmental Health Department

2300842/Compliance Section #6
02-03-14C-011/LSH

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Name of Public Water System: Wente Scout Reservation

Water System No: 2300842

To: Wente Scout Reservation
1001 Davis Street
San Leandro, CA 94577

Issued: June 2, 2014

CITATION FOR NONCOMPLIANCE
With the Total Coliform Maximum Contaminant Level
and Triggered Source Monitoring and Reporting
April 2014

Section 116650 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued thereunder.

The Division of Drinking Water and Environmental Management of the State of California Department of Public Health (Department) hereby issues a



1 citation to the Wente Scout Reservation(System) for failure to comply with
2 Title 22, California Code of Regulations (CCR) Section 64424, 64426.1, and
3 64430.
4

5 **APPLICABLE AUTHORITIES**

6

7
8 Section 116650 of the CHSC states in relevant part:
9

10 (a) If the department determines that a public water system is in violation of this
11 chapter or any regulation, permit, standard, citation, or order issued or adopted
12 thereunder, the department may issue a citation to the public water system.
13 The citation shall be served upon the public water system personally or by
14 certified mail. Service shall be deemed effective as of the date of personal
15 service or the date of receipt of the certified mail. If a person to whom a citation
16 is directed refuses to accept delivery of the certified mail, the date of service
17 shall be deemed to be the date of mailing.

18
19 (b) Each citation shall be in writing and shall describe the nature of the violation or
20 violations, including a reference to the statutory provision, standard, order,
21 citation, permit, or regulation alleged to have been violated.

22
23 (c) A citation may specify a date for elimination or correction of the condition
24 constituting the violation.

25 (d) A citation may include the assessment of a penalty as specified in subdivision
26 (e).
27



1 (e) The department may assess a penalty in an amount not to exceed one
2 thousand dollars (\$1,000) per day for each day that a violation occurred, and
3 for each day that a violation continues to occur. A separate penalty may be
4 assessed for each violation.

5
6 California Code of Regulations (CCR), Section 64424 states in relevant part:

7
8 (a) If a routine sample is total coliform-positive, the water supplier shall collect a
9 repeat sample set as described in paragraph (a)(1) within 24 hours of being
10 notified by the laboratory of the positive result.

11
12 California Code of Regulations (CCR), Section 64426.1 states in relevant
13 part:

14
15 (b) A public water system is in violation of the total coliform MCL {maximum
16 contaminant level} when any of the following occurs:

17 (1) For a public water system which collects at least 40 samples per
18 month, more than 5.0 percent of the samples collected during any
19 month are total coliform-positive; or

20 (2) For a public water system which collects fewer than 40 samples per
21 month, more than one sample collected during any month is total
22 coliform-positive; or

23 (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or

24 (4) Any repeat sample following a fecal coliform-positive or E. coli-positive
25 routine sample is total coliform-positive.
26
27



1 California Code of Regulations (CCR), Section 64430 and Section
2 141.402(a)(1) Title 44, Code of Federal Regulations published November 8,
3 2006, Federal Register (Vol. 71, No. 216) states in relevant part:
4

5 A ground water system must conduct triggered source water monitoring if the
6 system is notified that a sample collected under California Code of Regulations,
7 Title 22, Sections 64422 and 64423 is total coliform-positive and the sample is not
8 invalidated under California Code of Regulations, Title 22, Section 64425.
9

10 STATEMENT OF FACTS

11 The Department has received laboratory results for seven bacteriological
12 samples collected from the distribution system during April and May 2014
13 from the Wente Scout Reservation. All samples were analyzed for the
14 presence of coliform bacteria. Two of the seven samples tested positive for
15 coliform bacteria. Two of the seven samples tested positive for
16 coliform bacteria. None tested positive for *E. coli*.
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18 The System failed to collect and report a triggered source water sample
19 from Well 01 in response to the total coliform-positive routine sample and
20 failed to collect repeat samples within 24 hours of laboratory notification.
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2 **DETERMINATIONS**

3 The System violated Title 22 of the CCR, Section 64426.1, in that the
4 System failed to comply with the maximum contaminant level (MCL) for total
5 coliform bacteria during the month of April 2014.
6

7
8 The System violated Title 22 of the CCR, Section 64430 and Section
9 141.402(a)(1) Title 40, Code of Federal Regulations, in that the System
10 failed to collect a triggered source sample from the well in use at the time
11 the positive routine sample was collected.
12

13
14 The System violated Title 22 of the CCR, Section 64424 in that the System
15 failed to collect repeat samples within 24 hours of notification of the positive
16 coliform result from the laboratory.
17

18 **DIRECTIVES**

19 Wente Scout Reservation is hereby directed to take the following actions:
20

- 21
- 22 1. Comply with Sections 64424, 64426.1, and 64430, Title 22, of the
23 California Code of Regulations in all future monitoring periods.
24
 - 25 2. Notify all persons served by the System of the violations in
26 conformance with Section 64463.4 and 64465, Title 22 of the CCR,
27 and as follows:



1 a) Completion of Attachment A to include the name, address, and
2 telephone number of a System representative as a source of
3 additional information concerning the public notice. **You must**
4 **also give a legible, written description (preferably typed) of**
5 **the corrective actions taken by the water system to prevent**
6 **this violation from occurring in the future. You must use the**
7 **space provided in Attachment A for this written description.**
8

9
10 b) Post the notice contained in Attachment A, **after it has been**
11 **completed in accordance with (a) above**, in conspicuous
12 locations throughout the area served by the System. Posting
13 must begin no later than **July 2, 2014** and must continue for
14 seven days.
15

16
17 c) Publish the notice contained in Attachment A, **after it has been**
18 **completed in accordance with (a) above**, in a local newspaper
19 of general circulation in the area served by the System (or weekly
20 newspaper if no daily paper is available) for one day. The
21 publication in a local newspaper must be completed by **July 2,**
22 **2014.**
23

24
25 d) Provide public notice for this violation in accordance with Section
26 64465(c), Title 22 or the CCR, which requires for each non-
27 English speaking group that exceeds 1,000 residents or 10% of
the residents in a community (whichever is less) that the public



1 notice contain information in the appropriate language(s)
2 regarding the importance of the notice, or contain a telephone
3 number or address where such residents may contact the water
4 system to receive a translated copy of the notice or to receive
5 assistance in the appropriate language.
6

7
8 3. Pursuant to Section 64424(d), Title 22 of the CCR, the System shall
9 collect five (5) routine bacteriological samples by **June 30, 2014**. The
10 results of these samples shall be submitted with the attached
11 Compliance Certification form.
12

13
14 4. Pursuant to Section 64430, Title 22 of the CCR and
15 Section 141.402(a)(1) Title 40, Code of Federal Regulations, the
16 System shall collect a sample from the source that was online at the
17 time the April 28, 2014 samples were collected and have the sample
18 analyzed for *E. coli*. This sample must be collected by **June 30,**
19 **2014.**
20

21
22 5. The System shall complete the attached Compliance Certification
23 form and return it to the Department within 10 days of the public
24 notice being given to the system customers but in no case later than
25 **June 30, 2014. A copy of the notice published in the newspaper,**
26 **a copy of the notice posted within the water system, and a copy**
27 **of the laboratory results must be attached to the form.**



1 The Department reserves the right to make such modifications to this
2 Citation, as it may deem necessary to protect public health and safety.
3 Such modifications may be issued as amendments to this Citation and shall
4 be effective upon issuance.
5

6
7 Nothing in this Citation relieves the System of its obligation to meet the
8 requirements of the California Safe Drinking Water Act (CHSC, Division 104,
9 Part 12, Chapter 4, commencing with Section 116270), or any regulation,
10 standard, permit or order issued thereunder.
11

12 All submittals required by this Citation shall be submitted to the Department
13 at the following address:
14

15 Michelle F. Frederick, P.E.
16 Department of Public Health
17 Drinking Water Program
18 50 D Street, Suite 200
19 Santa Rosa, CA 95404
20

21 **PARTIES BOUND**

22 This Citation shall apply to and be binding upon the System, its officers,
23 directors, agents, employees, contractors, successors, and assignees.
24

25 **SEVERABILITY**

26 The directives of this Citation are severable, and the System shall comply
27 with each provision thereof notwithstanding the effectiveness of any
provision.



1
2 **FURTHER ENFORCEMENT ACTION**

3 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the
4 California Health and Safety Code authorizes the Department to: issue
5 additional citations with assessment of penalties if the System continues to
6 fail to correct a violation identified in a citation; take action to suspend or
7 revoke a permit that has been issued to a public water system if the System
8 has violated applicable law or regulations or has failed to comply with orders
9 of the Department; and petition the superior court to take various
10 enforcement measures against a public water system that has failed to
11 comply with orders of the Department. The Department does not waive any
12 further enforcement action by issuance of this citation.
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18 Michelle F. Frederick

19 Michelle F. Frederick, P.E.
20 Mendocino District Engineer
21 Drinking Water Program
22

June 2, 2014
Date

23 Attachments

24 Certified Mail No. 70123460 000264594461

25 2300842/Compliance Section #6 02-03-14C-011.docx/LSH
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COMPLIANCE CERTIFICATION

Citation Number 02-03-14C-011

Name of Water System: **Wente Scout Reservation**

System Number: **2300842**

Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological violations of Title 22, California Code of Regulations (CCR) for the compliance period of April 2014.

Required Action

Date Completed

Complete Attachment A, as required in Directive 2(a)

Public Notification – Posting for Seven Days

Public Notification – Newspaper

5 Bacteriological Samples Collected & Analyzed

Triggered Source Sample(s) Collected & Analyzed for *E. coli*

Signature of Water System Representative

Date

Attach a copy of the notice posted within the water system, a copy published in the newspaper, and the laboratory results from the 5 distribution system water samples and from the triggered source sample from Well 01.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT
NO LATER THAN JULY 14, 2014**

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.



IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

Wente Scout Reservation Had Levels of Coliform Bacteria Above the Drinking Water Standard and Failed to Collect All Required Bacteriological Samples During April 2014

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

What happened?

We routinely monitor our drinking water for contaminants. We took seven water samples to test for the presence of coliform bacteria during April and May 2014. Two of our samples showed the presence of coliform bacteria. The standard is that no more than 1 sample per month may test positive for bacteria. The positive samples were tested further for fecal coliform. **No fecal coliform or E. coli were found.** However, we failed to collect a sample from the well, and therefore, cannot be sure of the quality of our drinking water during that time. Our drinking water exceeded the maximum contaminant level allowed for total coliform bacteria, as specified in Section 64426.1, Title 22 of the California Code of Regulations (CCR).

What does this mean?

The California Department of Public Health (Department) sets drinking water standards and has determined that the presence of total coliform bacteria is a possible health concern. Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliforms were found in more drinking water samples than allowed. This was a warning of potential problems and a violation of the regulations.

What should I do?

You do not need to boil your water or take other corrective actions. This is not an emergency. If it had been, you would have been notified immediately.

People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

If you have other health concerns related to the consumption of this water, you may wish to consult your doctor.

Has the problem been resolved? What corrective actions have been taken to prevent this violation from occurring in the future?

This notification of the public is being done in compliance with Section 64463.4, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

(name)

(address)

(phone number)